

1 BARRY J. PORTMAN
Federal Public Defender
2 JOYCE LEAVITT
Assistant Federal Public Defender
3 555 12th Street, Suite 650
Oakland, CA 94607-3627
4 (510) 637-3500

5 Counsel for Defendant RODRIGUEZ-SAVEDRA

6
7
8 IN THE UNITED STATES DISTRICT COURT
9
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,

14 v.

15 ROGILIO RODRIGUEZ-
16 SAVEDRA,

17 Defendant.

)
) No. CR 09-00865 DLJ

)
) STIPULATION AND
) **ORDER** CONTINUING
) SENTENCING AND EXCLUSION OF
) TIME

18 **STIPULATION**

19
20 IT IS HEREBY STIPULATED, by and between the parties, that the sentencing date in this
21 case, currently scheduled for Friday, April 23, 2010, at 10:00 a.m. before Honorable D. Lowell
22 Jensen, may be continued to Friday, May 28, 2010, at 10:00 a.m. for sentencing. The reason is that
23 because of scheduling conflicts, Mr. Rodriguez-Savedra was not able to be interviewed by the
24 United States Probation Officer until last week but the 35 day report is already due. The additional
25 time will allow the probation officer to ensure that all of the information he has obtained from
26

interviewing Mr. Rodriguez-Savedra and conducting follow-up investigation can be included in the 35 day draft presentence report so that if there are corrections to be made, he will have adequate time to address the concerns of the parties. Defense counsel has spoken to USPO Brian Casai and he has no objection to the proposed continuance. Mr. Casai is available should the Court continue the matter to May 28, 2010.

DATED: 3/30/10

/s/
JOYCE LEAVITT
Assistant Federal Public Defender

DATED: 3/31/10

/s/
WADE RHYNE
Assistant United States Attorney

I hereby attest that I have on file all holographed signatures for any signatures indicated by a conformed signature (/s/) within this e-filed document.

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the sentencing date in this case, scheduled for Friday, April 23, 2010, at 10:00 a.m. before Honorable D. Lowell Jensen, may be continued to Friday, May 28, 2010, at 10:00 a.m. for sentencing.

SO ORDERED.

DATED: April 2, 2010


HONORABLE D. LOWELL JENSEN
United States District Judge